

Remarks

Reconsideration of the application is urged in view of the amendments above and comments which follow.

Taking the matters raised by the Examiner in turn, in numbered section 1, the Examiner refers to a reference on page 1 possibly not being considered. In fact, that reference was listed on the IDS provided to the Patent and Trademark Office and the Examiner has indicated that the reference has been listed. This paragraph of the Office Action is obviously in error and should not have been included.

In numbered section 3 of the Office Action, the Examiner has rejected claims 1-7, 10, 11, 15 and 16 under 35 U.S.C. §102 as being anticipated by George, et al. U.S. Patent No. 5,909,822, and the remaining claims have been rejected by the Examiner under 35 U.S.C. §103 beginning in numbered section 11 of the Office Action. Reconsideration is urged.

It is submitted that the Examiner has misunderstood the teaching of George *et al.*. The biasing means 26 identified by the examiner in Figure 1A of George *et al.* acts between the top of the housing 12 and the flange 22 of the shaft 20 to urge the punch head 18 of the shaft 20 away from the blister pack 10. See column 8, lines 1 to 3 of George *et al.*

Thus George *et al.* does not disclose apparatus including biasing means for urging receiving means into engagement with a blister, as required by unamended claim 1 of this application was. Claim 1 of this application was therefore not anticipated by George *et al.*

Nevertheless, in order to distinguish over German Patent Application Publication No. 3 317 549, which was cited in the international search report on the application from which this application is derived, claim 1 has been amended by introducing into it the features of dependent claims 4 and 10.

The Examiner's assertion that George *et al.* discloses the feature of dependent claim 4, namely that the receiving means comprise a pair of opposed jaws, is also mistaken, it is submitted.

The items 12 and 16 identified by the examiner in Figure 1A of George *et al.* are not upper and lower jaws but a dispenser housing 12 and a dispenser channel 16.

The dispenser housing 12 of Figure 1A of George *et al.* is generally tubular and the pill carrier 10 is designed to slide longitudinally within the housing 12. See column 8, lines 4 and 5 of George *et al.*

Thus the dispenser housing 12 of George *et al.* is a tube, not a pair of opposed jaws for engaging a blister pack. The attention of the examiner is drawn to the fact that Figure 1A of George *et al.* is a sectional view, in which the tube of the dispenser housing 12 appears to have opposed upper and lower parts. In fact the upper and lower walls of the tube of the dispenser housing 12 are joined to one another by side walls, as is more clearly shown in Figures 11 and 15 of George *et al.*.

Claim 1 as amended is therefore not anticipated by George *et al.*.

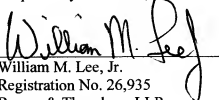
Given that George *et al.* contains no suggestion that the receiving means can be a pair of opposed jaws and teaches the use of biasing means to urge part of a dispenser away from a blister pack, rather than into engagement with a blister pack, claim 1 as amended is also non-obvious over George *et al.*

Also, since this response is being filed during the sixth month following the Examiner's Office Action, an appropriate Petition for Extension of Time is also submitted herewith.

Give the foregoing, it is submitted that this application is now in condition for allowance, and the Examiner's further and favorable reconsideration in that regard is urged.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "William M. Lee, Jr.", is written over a horizontal line.

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